U.S. Serial No. 09/534,898
Response to the Office Action of October 8, 2004

REMARKS

Claims 1-23 are pending and at issue in the above identified patent application. Of the claims at issue, claims 1, 11, and 16 are independent. In view of the following remarks, it is respectfully submitted that all pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

Information Disclosure Statement

The Examiner's attention is directed to the Supplemental Disclosure Statement submitted by the applicants on October 15, 2004. Consideration of the cited art and the initialization and return of the filed Form 1449 with the next communication is respectfully requested.

The Rejections Under 35 U.S.C. § 103

In the Office action, claims 1-23 were rejected as unpatentable over one or more of Payton (U.S. Patent No. 5,790,935), Chaney et al. (U.S. Patent No. 5,642,153), Walters et al. (U.S. Patent No. 5,710,970), Gudesen (U.S. Patent No. 5,761,607), and Tsuria et al. (U.S. Patent No. 6,424,947). The applicants respectfully traverse each of the rejections.

Claims 1-23

Independent claims 1, 11, and 16 are each generally directed to a broadcasting method that uses cache program data comprising broadcast programming of one or more television programs and a boot object requiring storage of the cache program data. In particular, each of the claims recites, *inter alia*, the use of program data including scheduled program data, program guide data, cache program data comprising broadcast programming of one or more television programs, and a boot object having location information associated with the cache program data and requiring storage of the cache program data based on the boot object.

Claims 1, 11, and 16 were each rejected as unpatentable over the combination of Payton and Chaney. However, neither Payton nor Chaney, either alone or in combination, discloses or suggests transmitting cache program data along with a boot object having location information associated with the cache program data. Further,

Page 6 of 8

U.S. Serial No. 09/534,898
Response to the Office Action of October 8, 2004

neither Payton nor Chaney, either alone or in combination, discloses or suggests requiring storage of the cache program data based on the boot object.

In particular, while Payton is directed to a system that delivers virtual on-demand programming to a television user, Payton does not disclose or suggest the transmission of a boot object having location information associated with cable program data and requiring storage of cache program data. In contrast to the recitation of the claims, Payton discloses the transmission of a listing of recommended programs and allowing a user to select which programs to download and store. Payton does not disclose or suggest a boot object requiring the storing of cache program data. This is conceded on page 4 of the October 8, 2004, action.

To cure the acknowledged deficiencies in Payton, the Office action relies upon Chaney. However, while Chaney is directed to the transmission of a Master Program Guide, Chaney does not disclose or suggest the transmission of cache program data, nor the transmission of a boot object requiring the storing of cache program data. In contrast, Chaney discloses the transmission of a set of data known as a Master Program Guide, which relates television program titles, their start and end times, a virtual channel number to be displayed to a user, and information allocating virtual channels to transponder frequencies. The Master Program Guide of Chaney is simply a map allowing the system to tune to any desired channel. The Disclosed Chaney System does not broadcast cache data, nor does Chaney disclose or suggest that the Master Program Guide, does or could, require the storage of such cache program data. Chaney simply does not disclose or suggest transmission of cache program data and a boot object requiring the storing of the cache program data.

Thus, due to the common deficiencies of Payton and Chaney, it follows that no combination of Payton and Chaney can render obvious claims 1, 11, 16, or any claims dependent thereon. In particular, because neither Payton nor Chaney discloses or suggests transmitting cache program data along with a boot object having location information associated with the cable program data and requiring storage of the cache program data, no combination of Payton and Chaney can result in a system that transmits cache program data and a boot object requiring the storage of cache
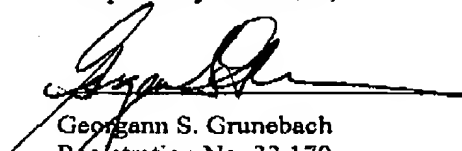
Page 7 of 8

U.S. Serial No. 09/534,898
Response to the Office Action of October 8, 2004

program data. Accordingly, it is respectfully submitted that claims 1, 11, 16, and all
claims dependent thereon are in condition for allowance.

<div align="center">Conclusion</div>

Reconsideration of the application and allowance thereof are respectfully
requested. If there is any matter that the examiner would like to discuss, the examiner
is invited to contact the undersigned representative at the telephone number set forth
below.

Respectfully submitted,

Georgann S. Grunebach
Registration No. 33,179
Attorney for Applicants

Date: January 5, 2005

The DIRECTV Group, Inc.
RE / R11 / A109
P.O. Box 956
2250 E. Imperial Highway
El Segundo, CA 90245
310-964-4615

<div align="center">Page 8 of 8</div>